



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#12/2002  
RECEIVED  
FEB 26 2003  
TO 1700

Applicants : Michael S. Colman, et al.  
Serial No. : 09/766,161  
For : IMPROVED RECOVERY OF LINEAR NUCLEIC ACIDS By  
SALT DILUTION AND/OR REDUCED PRESSURE PRIOR TO  
CONTINUOUS PRESSURE DIFFERENTIAL  
ULTRAFILTRATION

Examiner : Menon, Krinshnan S.

Art Unit : 1723

Attorney  
Docket No. : MCA-538

Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
Sir:

I hereby certify that this correspondence  
is being deposited with the United States  
Postal Service as first class mail in an envelope  
addressed to: Commissioner of Patents  
and Trademarks, Washington, D. C. 20231,  
on February 19, 2003 (Date)

Kevin S. Lemack  
Name of applicant, assignee, or Registered  
Representative

[Signature]  
Signature  
February 19, 2003  
Date

**PRELIMINARY AMENDMENT**

Entry of the accompanying amendment to the claims as shown on the attached Version with  
Markings to Show Changes Made and Replacement Sheets is respectfully requested.

Claims 1, 6, 9, 13 and 14 are amended.

**REMARKS**

The following is responsive to the Office Action dated October 22, 2002.

The Examiner rejects claim 14 under 35 U.S.C. §112, first paragraph, as containing subject  
matter which was not described in the specification in such a way as to reasonably convey to one  
skilled in the art that the inventors has possession of the claimed invention. The Examiner states that  
the language regarding the ultrafiltration membrane having a predetermined molecular weight limit  
and that the nucleic acids have a molecular weight below that predetermined limit has no support in